

REMARKS

The Applicant respectfully requests further examination and reconsideration in view of the amendments above and the arguments set forth fully below. Claims 1-96 were previously pending in this application. Within the Office Action, claims 1-96 have been rejected. By the above amendments, claim 1, 15, 25, 39, 49, 63, 73, and 87 have been amended and claims 2, 3, 16, 26, 27, 40, 50, 51, 64, 74, 75, and 88 have been canceled. Accordingly, claims 1, 4-15, 17-25, 28-39, 41-49, 52-63, 65-73, 76-87, and 89-96 are currently pending.

Double Patenting

Within the Office Action, claims 1-96 have been provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 1-40 of co-pending Application No. 09/801,072.

Specifically, it is stated that claims 1, 2, 49, 50, 73, and 74 of the present application conflict with claims 1, 36, and 37 of Application No. 09/801,072. By the above amendments, claims 2, 50, and 74 have been canceled. As such, the independent claims 1, 49, and 73 of the present application are each directed to a search module including three different search capabilities. In contrast, the claims 1, 36, and 37 of Application No. 09/801,072 are each directed to a search module including four different search capabilities.

Similarly, it is stated that claims 15, 16, 39, 40, 63, 64, 87, and 88 of the present application conflict with claim 27 of Application No. 09/801,072. By the above amendments, claims 16, 40, 64, and 88 have been canceled. As such, the independent claims 15, 39, 63, and 87 of the present application are each directed to a search module including three different search capabilities. In contrast, the claim 27 of Application No. 09/801,072 is directed to a search module including four different search capabilities.

It is also stated that claims 25 and 26 of the present application conflict with claim 14 of Application No. 09/801,072. By the above amendments, claim 26 has been canceled. As such, the independent claim 25 of the present application is directed to a search module including three different search capabilities. In contrast, the claim 14 of Application No. 09/801,072 is directed to a search module including four different search capabilities.

Therefore, the independent claims within the present application and the independent claims within the Application No. 09/801,138 are not directed to the same invention.

Rejections under 35 U.S.C. §102(e)

Within the Office Action, claims 1-96 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,253,188 issued to Witek et al. (hereafter “Witek”). The Applicant respectfully traverses this rejection for the following reasons.

Witek teaches a system and method for providing classified ads over the Internet. Internet users can connect to a Newspaper web server and central Web application server to search for and obtain classified ads. Ad records are stored in ad database servers 20 for providing classified ad records on request to application servers 16. To search the ad records, the search process is divided into two principle parts. The first part includes a system entry and pre-selection sequence, and the second part includes a record selection sequence (Witek, col. 12, lines 10-13). More specifically, in the first part the user enters the system and specifies the category of classified ads to be searched. Thereafter, as the user navigates to the respective selected category, the user further specifies a subcategory for the particular category selected (Witek, col. 12, lines 27-37). The selected category and subcategory pair is identified by a category/subcategory ID 46. The second part of the search process includes entering a formal record selection query containing the specific parameters for the ad records the user wishes to see. The specific parameters are entered as primary selection parameters 60 and as secondary selection parameters 62. In summary, the first part of the search process is limited to performing searches based on category, or in other words a hierarchical search (Witek, col. 13, lines 30-46). The second part of the search process is limited to performing searches based on entered parameters, in other words keyword search or parametric search. Witek does not teach performing a search in which for any given searching step, each of a combination of different search methodologies are available to be used to perform the search. Specifically, Witek does not teach a search module that includes a keyword search capability, a hierarchical search capability, a dichotomous key search capability, and a parametric search capability such that each utilization of the search module includes the availability of each of any combination of these search capabilities.

By the above amendments, the independent claims are amended to clarify that each utilization of the search module includes the ability to use each of any combination of the search methodologies. Any of these search methodologies can be used in any frequency to complete a research task, either independently or in any combination thereof.

Further, within the Office Action it is stated that Witek teaches a dichotomous key search. To support this assertion, Figure 3, element 70, and column 16, lines 27-50 are cited. The Applicant respectfully disagrees with this conclusion. Column 16, lines 27-50 of Witek refer to a mapped field 70 within the secondary selection parameters 62. Witek teaches that the mapped fields 70 are “yes-no” secondary features that provide details concerning the ad record subject matter. In particular, Witek teaches that the yes-no fields 70 provide up to 32 features which the user can simply check off in a selection menu (such as element 146 in Figure 10) to further describe the ad to be viewed. However, this is no different than a parametric search in which the parameters are limited to yes or no. Within the Office Action, it is stated that the present specification defines a “dichotomous key search” as the ability to instruct users through an answer and question dialog, often yes or no answers, and that Witek also gives the user the option of answering questions by checking the boxes in the selection menu. It is therefore concluded within the Office Action that these two search options are the same. The Applicant respectfully disagrees with the conclusion that the selection menu 146 including yes-no fields 70 of Witek is the same as a dichotomous key search as described in the present application.

On page 18, lines 6-10, the present specification defines a dichotomous key search as:

“A dichotomous key structure is a binary key structure or two-node tree. This structure is used as a decision tree mechanism to instruct users in deciphering information given in an answer or question dialog, often a yes or no answer. Examples of this include diagnosing a medical disease, diagnosing a mechanical problem, and working a system such as classifying a biological species by physical attributes.”

A decision tree mechanism is well known in the art as a mechanism for progressively moving down a directory tree structure. Movement down the directory tree structure is accomplished by making successive decisions related to posed questions, such as the above described answer or question dialog. This process is similar to that of successively selecting a category from a directory menu, and then selecting a subcategory from the selected category, and so on, to move down an hierarchical directory structure. However, the dichotomous key search differs from the category search, or hierarchical search, by structuring the progression down the directory tree structure in a binary manner. Where a category progression provides multiple options at any given selection opportunity, a dichotomous key progression is specifically configured to provide

only two options at any given selection opportunity. Such a structure is represented as a “binary key structure” or a “two-node tree”.

The yes-no fields 70 of Witek are all selected as a single grouping, that is each yes-no field is considered a single parameter within a parametric search. The user selects all desired yes-no fields 70, and then, within a single search step, a search is performed using all selected yes-no fields 70 plus all other input parameters 68 , 72 (Figure 3 of Witek), and 142 (Figure 10 of Witek). In contrast, a dichotomous key search, as applied to the present invention, is a succession of searching steps, where each search step divides the remaining database into two based on the user response to a single question. Each search step first requires a user response. The search is then performed, and another user response is then required before a successive search is performed (Specification, Figure 6; page 30, lines 5-24). An example is given on page 30, lines 1-4 of the present specification. In this example, one such use of a dichotomous key search is at the node for “fiction”, the dichotomous key selections are “fiction books” and “fiction other than books”, or at the node for “Mercedes-Benz” and the dichotomous key selections are “Mercedes-Benz Dealers ” and “Mercedes-Benz Models”. On page 28, lines 16-20 of the present specification, a difference between conventional, or category-configured, directory structures and dichotomous key structures is given:

“In conventional directory structures, where there are multiple entries per node, users can easily become lost. As directories grow and become more complicated, decisions become more difficult and choosing between two paths associated with a dichotomous key structure verses many paths associated with directory structures is simpler. Therefore, the dichotomous tree structure improves ease of use for the user.”

As such, Witek does not teach a dichotomous key search.

Amended independent claim 1 is directed to a method of performing a research task within a searchable database. The method of claim 1 comprises the steps of utilizing a search module to correlate a search criteria to the searchable database for generating one or more matching items, wherein each matching item corresponds to a segment of the searchable database, further wherein the search module includes a keyword search capability, a hierarchical search capability, and a dichotomous key search capability, utilizing the search module to correlate a subsequent search criteria to one of the matching items for generating one or more subsequent matching items, wherein each subsequent matching item is a sub-segment of the

matching item used to generate the subsequent matching item, and further wherein the subsequent search criteria is a selective one of the search criteria and a different search criteria, and repeating the step of utilizing the search module to correlate a subsequent search criteria until the research task is completed such that each utilization of the search module includes the availability of the keyword search capability, the hierarchical search capability, and the dichotomous key search capability. As discussed above, Witek does not teach using a search module including different types of search capabilities, where each utilization of the search module includes the availability of each of the search capabilities. Further, Witek does not teach a search module that includes a dichotomous key search capability. For at least these reasons the independent claim 1 is allowable over the teachings of Witek.

Claims 4-14 depend on the independent claim 1. As described above, the independent claim 1 is allowable over the teachings of Witek. Accordingly, claims 4-14 are all also allowable as being dependent on an allowable base claim.

Amended independent claim 15 is directed to research system for performing a research task within a searchable database. The research system of claim 15 comprises a research server configured to utilize a search module, to correlate a search criteria to the searchable database coupled to the research server for generating one or more matching items, wherein each matching item corresponds to a segment of the searchable database, further wherein the search module includes a keyword search capability, a hierarchical search capability, and a dichotomous key search capability, to utilize a the search module to correlate a subsequent search criteria to one of the matching items for generating one or more subsequent matching items, wherein each subsequent matching item is a sub-segment of the matching item used to generate the subsequent matching item, further wherein the subsequent search criteria is a selective one of the search criteria and a different search criteria, and to repeat the utilization of the search module to correlate a subsequent search criteria to one of the matching items for generating one or more subsequent matching items, wherein each subsequent matching item is a sub-segment of the matching item used to generate the subsequent matching item, further wherein the subsequent search criteria is a selective one of the search criteria and a different search criteria, until the research task is completed, and further wherein each utilization of the search module includes the availability of the keyword search capability, the hierarchical search capability, and the dichotomous key search capability. As discussed above, Witek does not teach using a search module including different types of search capabilities, where each utilization of the search module includes the availability of each of the search capabilities. Further, Witek does not teach

a search module that includes a dichotomous key search capability. For at least these reasons, the independent claim 15 is allowable over the teachings of Witek.

Claims 17-24 depend on the independent claim 15. As described above, the independent claim 15 is allowable over the teachings of Witek. Accordingly, claims 17-24 are all also allowable as being dependent on an allowable base claim.

Amended independent claim 25 is directed to method of performing a research task within a searchable database. The method of claim 25 comprises utilizing a search module to correlate a search criteria to the searchable database for generating one or more matching items, wherein each matching item corresponds to a segment of the searchable database, further wherein the search module includes a keyword search capability, a hierarchical search capability, and a parametric search capability, utilizing the search module to correlate a subsequent search criteria to one of the matching items for generating one or more subsequent matching items, wherein each subsequent matching item is a sub-segment of the matching item used to generate the subsequent matching item, and further wherein the subsequent search criteria is a selective one of the search criteria and a different search criteria, and repeating the step of utilizing the search module to correlate a subsequent search criteria until the research task is completed such that each utilization of the search module includes the availability of the keyword search capability, the hierarchical search capability, and the parametric search capability. As discussed above, Witek does not teach using a search module including different types of search capabilities, where each utilization of the search module includes the availability of each of the search capabilities. For at least these reasons, the independent claim 25 is allowable over the teachings of Witek.

Claims 28-38 depend on the independent claim 25. As described above, the independent claim 25 is allowable over the teachings of Witek. Accordingly, claims 28-38 are all also allowable as being dependent on an allowable base claim.

Amended independent claim 39 is directed to research system for performing a research task within a searchable database. The research system of claim 39 comprises a research server configured to utilize a search module to correlate a search criteria to the searchable database coupled to the research server for generating one or more matching items, wherein each matching item corresponds to a segment of the searchable database, further wherein the search module includes a keyword search capability, a hierarchical search capability, and a parametric search capability, to utilize the search module to correlate a subsequent search criteria to one of the matching items for generating one or more subsequent matching items, wherein each subsequent

matching item is a sub-segment of the matching item used to generate the subsequent matching item, further wherein the subsequent search criteria is a selective one of the search criteria and a different search criteria, and to repeat the utilization of the search module to correlate a subsequent search criteria to one of the matching items for generating one or more subsequent matching items, wherein each subsequent matching item is a sub-segment of the matching item used to generate the subsequent matching item, and further wherein the subsequent search criteria is a selective one of the search criteria and a different search criteria, until the research task is completed, and further wherein each utilization of the search module includes the availability of the keyword search capability, the hierarchical search capability, and the parametric search capability. As discussed above, Witek does not teach using a search module including different types of search capabilities, where each utilization of the search module includes the availability of each of the search capabilities. For at least these reasons, the independent claim 39 is allowable over the teachings of Witek.

Claims 41-48 depend on the independent claim 39. As described above, the independent claim 39 is allowable over the teachings of Witek. Accordingly, claims 41-48 are all also allowable as being dependent on an allowable base claim.

Amended independent claim 49 is directed to method of performing a research task within a searchable database. The method of claim 49 comprises the steps of utilizing a search module to correlate a search criteria to the searchable database for generating one or more matching items, wherein each matching item corresponds to a segment of the searchable database, further wherein the search module includes a keyword search capability, a dichotomous key search capability, and a parametric search capability, utilizing the search module to correlate a subsequent search criteria to one of the matching items for generating one or more subsequent matching items, wherein each subsequent matching item is a sub-segment of the matching item used to generate the subsequent matching item, and further wherein the subsequent search criteria is a selective one of the search criteria and a different search criteria, and repeating the step of utilizing the search module to correlate a subsequent search criteria until the research task is completed such that each utilization of the search module includes the availability of the keyword search capability, the dichotomous key search capability, and the parametric search capability. As discussed above, Witek does not teach using a search module including different types of search capabilities, where each utilization of the search module includes the availability of each of the search capabilities. Further, Witek does not teach a search module that includes a

dichotomous key search capability. For at least these reasons, the independent claim 49 is allowable over the teachings of Witek.

Claims 52-62 depend on the independent claim 49. As described above, the independent claim 49 is allowable over the teachings of Witek. Accordingly, claims 52-62 are all also allowable as being dependent on an allowable base claim.

Amended independent claim 63 is directed to a research system for performing a research task within a searchable database. The research system of claim 63 comprises a research server configured to utilize a search module to correlate a search criteria to the searchable database coupled to the research server for generating one or more matching items, wherein each matching item corresponds to a segment of the searchable database, further wherein the search module includes a keyword search capability, a dichotomous key search capability, and a parametric search capability, to utilize the search module to correlate a subsequent search criteria to one of the matching items for generating one or more subsequent matching items, wherein each subsequent matching item is a sub-segment of the matching item used to generate the subsequent matching item, further wherein the subsequent search criteria is a selective one of the search criteria and a different search criteria, and to repeat the utilization of the search module to correlate a subsequent search criteria to one of the matching items for generating one or more subsequent matching items, wherein each subsequent matching item is a sub-segment of the matching item used to generate the subsequent matching item, and further wherein the subsequent search criteria is a selective one of the search criteria and a different search criteria, until the research task is completed, and further wherein each utilization of the search module includes the availability of the keyword search capability, the dichotomous key search capability, and the parametric search capability. As discussed above, Witek does not teach using a search module including different types of search capabilities, where each utilization of the search module includes the availability of each of the search capabilities. Further, Witek does not teach a search module that includes a dichotomous key search capability. For at least these reasons, the independent claim 63 is allowable over the teachings of Witek.

Claims 65-72 depend on the independent claim 63. As described above, the independent claim 63 is allowable over the teachings of Witek. Accordingly, claims 65-72 are all also allowable as being dependent on an allowable base claim.

Amended independent claim 73 is directed to a method of performing a research task within a searchable database. The method of claim 73 comprises the steps of utilizing a search module to correlate a search criteria to the searchable database for generating one or more

matching items, wherein each matching item corresponds to a segment of the searchable database, further wherein the search module includes a hierarchical search capability, a dichotomous key search capability, and a parametric search capability, utilizing the search module to correlate a subsequent search criteria to one of the matching items for generating one or more subsequent matching items, wherein each subsequent matching item is a sub-segment of the matching item used to generate the subsequent matching item, and further wherein the subsequent search criteria is a selective one of the search criteria and a different search criteria, and repeating the step of utilizing the search module to correlate a subsequent search criteria until the research task is completed such that each utilization of the search module includes the availability of the hierarchical search capability, the dichotomous key search capability, and the parametric search capability. As discussed above, Witek does not teach using a search module including different types of search capabilities, where each utilization of the search module includes the availability of each of the search capabilities. Further, Witek does not teach a search module that includes a dichotomous key search capability. For at least these reasons the independent claim 73 is allowable over the teachings of Witek.

Claims 76-86 depend on the independent claim 73. As described above, the independent claim 73 is allowable over the teachings of Witek. Accordingly, claims 76-86 are all also allowable as being dependent on an allowable base claim.

Amended independent claim 87 is directed to a research system for performing a research task within a searchable database. The research system of claim 87 comprises a research server configured to utilize a search module to correlate a search criteria to the searchable database coupled to the research server for generating one or more matching items, wherein each matching item corresponds to a segment of the searchable database, further wherein the search module includes a hierarchical search capability, a dichotomous key search capability, and a parametric search capability, to utilize the search module to correlate a subsequent search criteria to one of the matching items for generating one or more subsequent matching items, wherein each subsequent matching item is a sub-segment of the matching item used to generate the subsequent matching item, further wherein the subsequent search criteria is a selective one of the search criteria and a different search criteria, and to repeat the utilization of the search module to correlate a subsequent search criteria to one of the matching items for generating one or more subsequent matching items, wherein each subsequent matching item is a sub-segment of the matching item used to generate the subsequent matching item, and further wherein the subsequent search criteria is a selective one of the search criteria and a different search criteria,

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until the research task is completed, and further wherein each utilization of the search module includes the availability of the hierarchical search capability, the dichotomous key search capability, and the parametric search capability. As discussed above, Witek does not teach using a search module including different types of search capabilities, where each utilization of the search module includes the availability of each of the search capabilities. Further, Witek does not teach a search module that includes a dichotomous key search capability. For at least these reasons the independent claim 87 is allowable over the teachings of Witek.

Claims 89-96 depend on the independent claim 87. As described above, the independent claim 87 is allowable over the teachings of Witek. Accordingly, claims 89-96 are all also allowable as being dependent on an allowable base claim.

For the reasons given above, Applicant respectfully submits that the claims are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, he/she is encouraged to call the undersigned attorney at (408) 530-9700.

Respectfully submitted,
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Date: May 28, 2004

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CERTIFICATE OF MAILING (37 CFR§ 1.8(a))

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